

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. through 20. (cancelled)

21. (currently amended): A portable electronic device, comprising:

a memory which stores at least two functions and at least two items ~~hierarchically~~  
assigned to ~~each function~~ at least one of the functions;

a display which displays at least a first picture and a second picture;

wherein, the first picture comprises

(a) a function,

(b) a first item displayed at a first predetermined position of the display  
and assigned to the displayed function, and

(c) a second item displayed at a second predetermined position of the  
display and assigned to the displayed function, and

wherein the second picture does not include any item which is assigned to a  
function or which is displayed at either the first predetermined position or the second  
predetermined position;

a first button, corresponding to the displayed first item, wherein the pressing of the first  
button indicates the selection of the first item when the display is displaying the first ~~item~~ picture;  
and

a second button, corresponding to the displayed second item, wherein the pressing of the second button indicates the selection of the second item when the display is displaying the ~~second item~~first picture;

wherein,

when the display is ~~not displaying the first item, the pressing of the first button indicates one or more actions unrelated to the first item, and~~

~~when the display is not displaying the second item, the pressing of the second button indicates one or more actions unrelated to the second item~~displaying the second picture, the pressing of the first button or the second button indicates one or more actions unrelated to the first item or the second item.

22. (previously presented): The portable electronic device according to claim 21,  
wherein:

the at least two functions include a key tone function;

a first item assigned to the key tone function is an “on” item, wherein the pressing of the first button, when the display displays the “on” item, turns the key tone function on; and

a second item assigned to the key tone function is an “off” item, wherein the pressing of the second button, when the display displays the “off” item, turns the key tone function off.

23. (previously presented): The portable electronic apparatus according to claim 21,  
wherein:

the at least to functions include an automatic power function;

a first item assigned to the automatic power function is an “on” item, wherein the pressing of the first button, when the display displays the “on” item, turns the automatic power on; and

a second item assigned to the automatic power function is an “off” item, wherein the pressing of the second button, when the display displays the “off” item, functions turns the key tone function off.

24. (currently amended): The portable electronic device according to claim 21, wherein:  
when the display is not displaying the first ~~item~~picture, the pressing of the first button functions to move a cursor, displayed on the display, in a first direction; and  
when the display is not displaying the ~~second item~~first picture, the pressing of the second button functions to move a cursor, displayed on the display, in a second direction.

25. (currently amended): The portable electronic device according to claim 21, wherein:  
the first button is located directly below the display of the first item; and  
the second button is located directly below the display of the second ~~display~~item.

26. (previously presented): The portable electronic device according to claim 21,  
wherein:  
the portable electronic device comprises a phone.

27. (previously presented): A portable electronic device, comprising:

means for storing at least two functions and at least two items ~~hierarchically~~ assigned to ~~each function~~ at least one of the functions;

means for displaying at least a first picture and a second picture;

wherein the first picture comprises:

(a) a function,

(b) a first item displayed at a first predetermined position of the means for displaying and assigned to the displayed function, and

(c) a second item displayed at a second predetermined position of the means for displaying and assigned to the displayed function; and

wherein the second picture does not include any item which is assigned to a function or which is displayed at either the first predetermined position or the second predetermined position;

a first button, corresponding to the displayed first item, wherein the pressing of the first button indicates the selection of the first item when the means for displaying is displaying the ~~first item~~ picture; and

a second button, corresponding to the displayed second item, wherein the pressing of the second button indicates the selection of the second item when the means for displaying is displaying the ~~second item~~ first picture;

wherein, when the means for displaying is displaying the second picture, the pressing of the first button or the second button indicates one or more actions unrelated to the first item or the second item ~~not displaying the first item, the pressing of the first button indicates one or more~~

~~actions unrelated to the first item, and when the means for displaying is not displaying the second item, the pressing of the second button indicates one or more actions unrelated to the second item.~~

28. (previously presented): The portable electronic device according to claim 27,  
wherein:

the at least two functions include a key tone function;

a first item assigned to the key tone function is an “on” item, wherein the pressing of the first button, when the means for displaying displays the “on” item, turns the key tone function on; and

a second item assigned to the key tone function is an “off” item, wherein the pressing of the second button, when the means for displaying displays the “off” item, turns the key tone function off.

29. (previously presented): The portable electronic apparatus according to claim 27,  
wherein:

the at least to functions include an automatic power function;

a first item assigned to the automatic power function is an “on” item, wherein the pressing of the first button, when the means for displaying displays the “on” item, turns the automatic power on; and

a second item assigned to the automatic power function is an “off” item, wherein the pressing of the second button, when the means for displaying displays the “off” item, functions turns the key tone function off.

30. (previously presented): The portable electronic device according to claim 27, wherein:

when the means for displaying is not displaying the first ~~item~~picture, the pressing of the first button functions to move a cursor, displayed on the display, in a first direction; and

when the means for displaying is not displaying the ~~second item~~first picture, the pressing of the second button functions to move a cursor, displayed on the display, in a second direction.

31. (previously presented): The portable electronic device according to claim 27, wherein:

the first button is located directly below the display of the first item; and

the second button is located directly below the display of the second display.

32. (previously presented): The portable electronic device according to claim 27, wherein:

the portable electronic device comprises a phone.

33. (new): A portable electronic device, comprising:

a display which displays at least a first picture and a second picture,

wherein said first picture comprises a first item displayed at a first predetermined position and a second item displayed at a second predetermined position, and

wherein said second picture does not include any items at the first predetermined position or at the second predetermined position;

a first button, wherein a selection of said first item is executed by a depression of said first button when said first picture is being displayed; and

a second button, wherein a selection of said second item is executed by a depression of said second button when said first picture is being displayed;

wherein a first action, which is unrelated to said first item or to said second item, is executed by a depression of said first button when said second picture is being displayed, and a second action, which is unrelated to said first item or to said second item, is executed by a depression of said first button when said second picture is being displayed.

34. (new): The portable electronic device according to claim 33, wherein:

said first item is "on" and a depression of said first button when said first picture is being displayed turns a key tone function on, and

said second item is "off" and a depression of said second button when said first picture is being displayed turns a key tone function off.

35. (new): The portable electronic device according to claim 33, wherein:

said first item is "on" and a depression of said first button when said first picture is being displayed turns an automatic power function on, and

said second item is “off” and a depression of said second button when said first picture is being displayed turns an automatic power function off.

36. (new): The portable electronic device according to claim 33, wherein:

when the first picture is not being displayed, a depression of said first button functions to move a cursor, displayed on the display, in a first direction, and a depression of said second button functions to move the cursor in a second direction.

37. (new): The portable electronic device according to claim 33, wherein:

said first button is located directly below the display of the first item, and said second button is located directly below the display of the second item.

38. (new): The portable electronic device according to claim 33, wherein the portable electronic device comprises a phone.

39. (new): A portable electronic device, comprising:

a means for displaying at least a first picture and a second picture,

wherein said first picture comprises a first item displayed at a first predetermined position and a second item displayed at a second predetermined position, and

wherein said second picture does not include any items at the first predetermined position of at the second predetermined position;



a first execution means, wherein a selection of said first item is executed by the first execution means; and

a second execution means, wherein a selection of said second item is executed by the second execution means;

wherein a first action, which is unrelated to said first item or to said second item is executed by the first execution means when said second picture is being displayed, and a second action, which is unrelated to said first item or to said second item is executed by the second execution means when said second picture is being displayed.

40. (new): The portable electronic device according to claim 39, wherein:

said first item is “on” and, when said first picture is being displayed, said first execution means turns a key tone function on, and

said second item is “off” and, when said first picture is being displayed, said second execution means turns a key tone function off.

41. (new): The portable electronic device according to claim 39, wherein:

said first item is “on” and, when said first picture is being displayed, said first execution means turns an automatic power function on, and

said second item is “off” and, when said first picture is being displayed, said second execution means turns an automatic power function off.

42. (new): The portable electronic device according to claim 39, wherein:

when the first picture is not being displayed, said first execution means moves a cursor, displayed on the display means, in a first direction, and said second execution means moves the cursor in a second direction.

43. (new): The portable electronic device according to claim 39, wherein:

said first execution means is located directly below the display of the first item, and said second execution means is located directly below the display of the second item.

44. (new): The portable electronic device according to claim 39, wherein the portable electronic device comprises a phone.